

**REMARKS**

A new drawing is provided wherein the lines are consistently thick and the numbers are clear and legible. No new matter has been added. It is submitted that the new drawing is in accord with proper Office drawing practice. Early approval of the new drawing by the Examiner is solicited.

Claim 1 has been amended to incorporate the substance of claims 2 and 3 and claims 2 and 3 have been cancelled. Claims 6 and 20 have been amended to recite that the stepping area is associated with the climate channel and not the air channel. The wording of the original claims resulted from an imprecise translation. More specifically, claims 6 and 20, as amended, recite that the air channels (25) are connected with at least one climate channel (26) in the stepping area (13). As amended, claims 6 and 20 are clear and definite and in accord with the drawing, the description in the application, and claim 4. Claims 16 and 18 have been canceled to remove redundancy. Claims 1, 4-15, 17, 19, and 20 remain for consideration.

Claims 1, 4-15, 17, 19 and 20 are considered to be patentable over Lambertz '151. Lambertz '151 discloses a climate-adjusting sock 1, which has an air channel 3 extending from the sole 2 of the foot up to the band 4 and which is formed of climate-adjusting net-type knit fabric (col. 2, lines 25-29). The interior of the sock 1 is equipped with a padded instep cushion 5 and in the area of the shin it is equipped with a padded shin cushion 6 (col. 2, lines 34-36). The area of the calf is also provided with padded cushions, for example, rod-type paddings 8 (col. 2, lines 47-49). The sock 1 is also provided with a support band 9 (col. 2, lines 53,54). The sole 2 of the sock 1 has additional padded cushions 10, 11, particularly, in the area of the heel and in the area of the ball of the foot and /or in the area of the toes (col. 2, lines 58-62).

The claimed sole of the present invention is not anticipated, taught or suggested in Lambertz '151. Lambertz '151 does not show a stepping area which supports the rolling motion of the foot during walking or running. On the contrary, the Lambertz '151 patent teaches an arrangement of cushions 10, 11 in the area of the heel and in the area of the ball and in the areas of the toes. This sock supports the inward arch of the sole of the foot, which is directed opposite

to the rolling motion of the foot during walking or running. The cushions or paddings arranged at the sole of the sock of Lambertz '151 are completely different from the shape of the stepping area of the present invention.

The advantages of the present invention are not taught by Lambertz '151. The problems addressed by the present invention and by Lambertz '151 are not the same. Claims 1 differentiates the present invention from the prior art. Lambertz '151 describes a sock with paddings or cushions in the area of the sole, but they are divided up in paddings or cushions in the area of the heel, the ball and/or the toes. These single paddings or cushions are not able to achieve the advantages of the present invention. The present invention provides an even distribution of the load over the entire surface of the sole of the foot. In contrast to this, paddings or cushions in the area of the sole of Lambertz '151 only provide a selective distribution of the load. Additionally, in the present invention, the natural curvature of the middle of the foot is compensated by providing a rounded stepping area and as a result, a continuous application surface is achieved. This result cannot be achieved by Lambertz '151. As a consequence, Lambertz '151 is not able to prevent cramping in the middle area of the foot. Lambertz '151 cannot prevent shuffling while walking.

Considering the drawing of the present application, it is clearly seen in Figs. 1 and 4 that the rounded stepping area is constructed and arranged in the shape of an arch, which is directed outward. Applicant's sock supports the typical rolling motion of the foot during walking, particularly, power walking. For the reasons stated, claims 1, 4-15, 17, 19, and 20 are not anticipated by Lambertz '151. These claims patentably distinguish over Lambertz '151 and should be allowed.

Favorable reconsideration and allowance of the present application are solicited.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this **AMENDMENT** is being deposited with the United States Postal Service with sufficient postage prepaid as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA,, 22313-1450 this 14<sup>th</sup> day of November 2007.

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